

GOVERNMENT OF RAJASTHAN
DEPARTMENT OF PERSONNEL(A-2)

No.F. 17 (10) DOP/A-II/94

Jaipur dated 31 Octo. 1995

MEMORANDUM

Sub: Guidelines for engaging retired Govt. servants on contract basis.

It has been brought to the notice of the State Government that a large number of posts of various categories are lying vacant in a number of departments and subordinate offices. There is a considerable time lag between the creation of the post and the availability of suitable candidates from RPSC. Unavoidable delays result from the fact that the steps relating to sending requisition to the RPSC, selection and training of the candidates are time consuming processes. There is no alternative to the selection through RPSC but in order to ensure smooth functioning of the Govt. departments during the time lag between the creation of the post and the availability of the candidates, it has been decided to permit engaging the services of retired Govt. servants on contract basis depending on the needs of the departments. The following norms/guidelines are being prescribed for the aforesaid purpose:

- 1) The vacancies in the junior-most scales of the services can be filled on contract basis from the retired employees of the State Govt. below the age of 61 years.
- 2) Recruitment on contract basis will be made only against the posts that are clearly vacant. The Administrative Secretary concerned will be the Appointing Authority in respect of vacancies in State Services. The Head of Department will be the Appointing Authority for subordinate services and State level vacancies in the Ministerial and Class-IV cadres. The District Level Officers of the concerned department will be the Appointing Authority for the ministerial service and Class-IV level vacancies. For filling up the State Service vacancies, the

Administrative Secretary will seek prior approval of the Department of Personnel and the Finance Department. For filling up the Subordinate Service vacancies the HOD will seek the approval of the Administrative Secretary, Department of Personnel and the Finance Department. For filling up ministerial service/Class-IV vacancies, prior approval of the Administrative Secretary will be sought. Priority will be given to the vacant posts in the field. The Head office level vacancies will be filled only if there is proper functional justification as decided by the Administrative Secretary.

- 3) For the purpose of selection of the candidates, a Committee consisting of not less than three members will be constituted in the following manner:
 1. Distt. Collector or his nominee not below the rank of ADM/PD,DRDA - Chairman.
 2. Distt. Level Officer - Member Secretary.
 3. A nominee of the Appointing Authority not below the rank of a gazetted officer.

- 4) The Appointing Authority may also prescribe such procedures/guidelines as it deems fit to ensure objective and merit based appointments.

- 5) The consolidated emoluments for contract employments shall be determined in the following manner:
 - i) State service vacancies
 - a) Rs.4000 fixed - for post which carry the pay scale of 2200-4000.
 - b) Rs.3000 fixed - for pay scale No.14 to 15.
 - ii) Subordinate Service Vacancies.
 - a) Rs.2000 fixed - for posts in the pay scale No.14 to 15
 - b) Rs.1500 fixed - for posts in payscale No.6 to 13
 - c) Rs. 1000 fixed - for post in payscale No.1 to 5
 - iii) Ministerial Service Vacancies.
 - a) Rs.1500 fixed
 - iv) Class IV Service Vacancies.
 - a) Rs.1000 fixed

The above indicated remuneration shall be subject to the condition that the total of consolidated salary plus pension and Dearness Relief thereon does not exceed the pre-retirement emoluments drawn at the time of initial appointment on contract basis. The pre-retirement emoluments shall include Pay and D.A.

- 6) Only those persons who have retired during the last 3 years and who have not attained age of 61 years are to be considered for contract appointment. Such retired Employees who were compulsorily retired from the service or who were penalised in any other manner are not to be considered for contract appointment.
- 7) The engagement on contract should be for a period of six months at first instance which can be extended further for a period of six months with the permission of the authority next higher than the Appointing Authority. In no case the contract appointment shall exceed one year. In case of technical department, the duration of the post will be co-terminus with the life of the project subject of a maximum of one year.
- 8) At the time of the appointment the detailed agreement will be signed between the employer and the employees.
- 9) The persons engaged on contract basis will be entitled to paid casual leave for 10 days in a year but during first six months will be entitled to 5 days casual leave only. They will not be entitled to privilege leave or any other kind of leave under RSR. For each day's absence without leave 1/30th of monthly remuneration will be deducted.
- 10) The contract is liable to be terminated by the Appointing Authority for breach of any condition of contract or by giving a prior notice of 15 days.
- 11) The contract engagement shall be dispensed with on expiry of period of contract or on availability of regularly selected persons whichever is earlier.

- 12) The persons engaged on contract basis shall not be entrusted the work of confidential or sensitive nature or the work relating to handling of cash/ writing of cash book and functioning as a Cashier.

This issues with the concurrence of Finance Department vide their I.D.1475/Fin/Exp./95 dated 13.6.95.

(Lalit Kothari)

Secretary to the Govt.

Copy forwarded to :-

- 1) The Secretary to Governor/Chief Minister.
- 2) All Principal Secretaries/Secretaries/Spl. Secretaries/ P.S. to Chief Secretary.
- 3) Deputy Secretary, D.O.P. (B-I).
- 4) All Divisional Commissioner, Jaipur/Jodhpur/Bikaner/ Kota/Udaipur/Ajmer.
- 5) Head of Departments (including Collectors).
- 6) All Sections/Groups of the Secretariat.
- 7) Vidhi Rachna Sangthan for Hindi Translation, with two spare copies.
- 8) Guard file.

(Poosalal Sain)

Deputy Secretary to the Govt.

Copy also forwarded to:-

- 1) Secretary, Rajasthan Public Service Commission, Ajmer.
- 2) Secretary, Rajasthan Legislative Assembly, Jaipur.
- 3) Secretary, Rajasthan Lok Ayukta Sachivalaya, Jaipur.
- 4) Registrar, Rajasthan High Court, Jodhpur/Jaipur.
- 5) Registrar, Rajasthan Civil Services Appellate Tribunal, Jaipur.

Deputy Secretary to the Govt.

41/95

AGREEMENT TO BE EXECUTED BY THE RETIRED EMPLOYEES

In pursuance of guidelines for engaging retired employees on contract, issued by Department of Personnel vide their Circular No. _____ Dt. _____ the following agreement is entered into between the Government of Rajasthan which expression shall include the authority of the Government competent to make contractual agreement on behalf of the Governor (hereinafter called as first party) and Shri _____ S/o Shri _____ resident of _____ (hereinafter called as second party)

Whereby it is agreed as follows:

1. The contractual engagement shall not confer any rights on the second party and the first party can terminate it at any time. The second party shall not be entitled to seek recourse to any administrative, quasi-judicial, or judicial relief for this purpose.
2. The past service rendered by the second party if any under the parent department shall have no relevance or be reckoned for any continuity of service benefits.
3. Contractual engagement is made for a period of six months or till the second party attains 61 years of age whichever is earlier.
4. The contract period of engagement would be considered for a renewal, provided during the period of contractual engagement, the work and conduct of Shri/Smt. _____ continues to be satisfactory. In any case the currency of contractual engagement shall not exceed beyond 61 years of age.
5. The contractual consolidated emoluments have been fixed at Rs. _____ per month subject to the condition that the total of consolidated salary plus pension and Dearness Relief thereon does not exceed the pre-retirement emoluments i.e. Pay + D.A. last drawn at the time of initial appointment on contract basis. The remuneration to the second party shall be dependent upon satisfactory discharge of the

assigned work. In case of any shortfall, the first party shall be authorized to determine the remuneration accordingly.

6. The contractual engagement shall be liable to be terminated by giving prior notice of 15 days.

7. The second party will be entitled to avail 10 days casual leave in a calender year but during first six months will be entitled to avail 5 days C.L. only. No other leave of any kind will be admissible.

8. For each day's absence 1/30th of monthly emoluments shall be deducted.

9. The work place within the jurisdiction would be decided on behalf of the first party by the officer nominated by the Appointing Authority. The second party may also be directed to undertake the work anywhere inside or outside Rajasthan.

10. The second party has to follow all the rules and regulations, directions and orders which are already in force and which may be issued during the contract period.

11. Any dispute between the parties may be referred for arbitration to such authority as may be specified by the Government.

Signature of Second party with date Signature on behalf of first party

Signature of Head of the Department/Office

Witnesses:

1.

2.

Witnesses:

1.

2.

**APPLICATION FORM FOR EMPLOYMENT ON CONTRACT BASIS
IN RESPECT OF RETIRED EMPLOYEES OF STATE GOVERNMENT**

- 1. Name of the retired employee :
- 2. Father's name :
- 3. Date of birth :
- 4. Qualifications :
- 5. Name of the parent department :
- 6. The post held before retirement :
- 7. Experience :
- 8. Basic pay + DA
(at the time of retirement) :
- 9. Payscale of the post held
(at the time of retirement) :

UNDERTAKING TO BE SIGNED BY THE RETIRED EMPLOYEE

The undersigned is willing to accept the contractual appointment, subsequent to his retirement, in State Government in pursuance of the agreed terms and condition given in the Government Circular No. _____ Dt. _____ for engagement of retired employees of the State Government. The undersigned hereby agrees and undertake to abide by the said terms/conditions of contractual engagement.

Signature of the retired employee

Place:

Date:

CERTIFICATE OF HEAD OF THE DEPARTMENT

It is certified that the facts given above in the application form at Point No.1 to 9 have been found to be true and are verified on the basis of record available with the department in respect of Shri/Smt. _____ S/O/W/O _____ who had been working in the department on the post _____ before retirement. It is also certified that during the period of serving in the department the services and behaviour of Shri/Smt. _____ had been satisfactory and his/her candidature for consideration of contractual engagement in the Government is hereby recommended.

It is also certified that at the time of retirement, Shri/Smt. _____ was drawing a monthly pay and DA at Rs. _____ (pay & DA components are to be mentioned separately) and that Shri/Smt. _____ has been retired on completion of age of superannuation and that no departmental enquiry/criminal case is pending against Shri/Smt. _____.

Signatures of Head of the Deptt.